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November 19, 2013

The Honorable Sally Jewell
Secretary
U.S. Department of the Interior
1849 C Street, NW
Washington, DC 20240

The Honorable Gina McCarthy
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Secretary Jewell and Administrator McCarthy:

In light of recent revelations of offshore hydraulic fracturing (fracking) activities in federal waters off the California coast, I write to urge you to place a moratorium on offshore fracking activities in the region until a comprehensive study of their impacts on the marine environment and public health is conducted and considered.

According to information disclosed through recent Freedom of Information Act (FOIA) requests and a comprehensive analysis by the Environmental Defense Center (EDC), at least 15 fracs have taken place in federal waters off the coast of California in the last two decades, with several being approved as recently as this year.¹ These activities have been approved with overly broad and outdated plans that do not properly account for or assess these activities.

This inadequate oversight is very troubling. There is a great deal we do not yet know about the environmental and public health impacts of fracking onshore, let alone offshore. The techniques, materials, and chemicals used in offshore fracking differ in significant ways from those used in onshore fracking, and there are clear differences in the surrounding environment that would be affected. Any leak, spill, or blowout offshore would be particularly difficult to detect and contain, especially considering how little is known about the chemicals being used. Exposure to such chemicals could cause tremendous damage to the marine environment, especially the sensitive marine areas in and around the Channel Islands National Marine Sanctuary and Santa Barbara Channel, where much of this activity is occurring. Furthermore, drilling of any kind in the ocean is inherently much riskier than onshore drilling, which is illustrated by the fact that the majority of these fracs have occurred from offshore platforms with a history of spills.²

¹ Jason Dearen and Alicia Chang, Oil Companies Frack in Coastal Waters off California, ASSOCIATED PRESS (Aug. 3, 2013); Mike Ludwig, Special Investigation: Fracking in the Ocean Off the California Coast, TRUTHOUT.ORG (July 25, 2013); Brian P. Segee, Elise O'Dea, Dirty Water: Fracking Offshore California, ENVIRONMENTAL DEFENSE CENTER

² Brian P. Segee, Elise O'Dea, Dirty Water: Fracking Offshore California, ENVIRONMENTAL DEFENSE CENTER

Comprehensive environmental impact assessments of onshore fracking are currently being conducted by federal and state regulators. Given the distinct differences and potentially greater risks of offshore fracking, an independent assessment of the environmental and public health impacts of offshore fracking is clearly warranted.

Specifically, I ask that the Environmental Protection Agency (EPA), Bureau of Safety and Environmental Enforcement (BSEE), and Bureau of Ocean Energy Management (BOEM) work together to conduct a comprehensive study of offshore fracking activities that includes:

- 1) A full accounting of the number and magnitude of all fracs that have taken place in federal waters off the coast of California;
- 2) A scientific assessment of the impacts of offshore fracking activities on marine life, marine habitat, and human health;
- 3) An analysis of known offshore fracking activities for compliance with the Endangered Species Act (ESA) and the Marine Mammal Protection Act (MMPA); and
- 4) A review of the general National Pollution Discharge Elimination System (NPDES) permit currently under consideration to ensure its adequacy for addressing the unique fracking chemicals and waste streams, such as flowback.

Considering the unique and significant safety risks and environmental sensitivity involved in these activities, I urge you to halt ongoing and proposed offshore fracking activities in federal waters off the California coast until this comprehensive environmental review is completed.

I understand how limited your resources are; however, it is critical that regulators and the public fully understand the impacts of offshore fracking and take the proper precautions. Having witnessed firsthand the devastating 1969 Santa Barbara oil spill, I know too well the havoc a similar disaster would wreak on our local economy and environment. That's why I firmly believe we must do all we can to prevent a similar disaster from happening again; I hope you agree.

Thank you for your attention to this important matter, and I look forward to your response.

Sincerely,


LOIS CAPPS
Member of Congress

CC: Brian Salerno, Director
Bureau of Safety and Environmental Enforcement

Tommy Beaudreau, Director
Bureau of Ocean Energy Management